

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 04-10064-RGS
	)	
ROBERT P. BARRY	)	

**MOTION TO WITHDRAW AS COUNSEL**

Frank Fernandez, Counsel of record in the above captioned matter, respectfully moves that the Honorable Court hereby grant his Motion to Withdraw as Counsel. As grounds, Counsel avers and states:

1. the defendant has retained successor counsel to represent him in this matter.

WHEREFORE, Counsel respectfully requests that his Motion to Withdraw be granted.

Dated: August 20, 2004

Respectfully submitted,

/S/ Frank Fernandez  
Frank Fernandez, BBO 653771  
Four Longfellow Place, 35<sup>th</sup> Floor  
Boston, MA 02114  
(617) 393-0250

**Certificate of Service**

I, Frank Fernandez, Counsel for Defendant, hereby certify that on the 20<sup>th</sup> day of August, 2004, the within Motion to Withdraw as Counsel, was sent by e-mail and electronic filing to AUSA Antoinette Leoney and USPO Jo Lyness.

Frank Fernandez /s/